

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA,
v.
RICCARDO PAOLO SPAGNI,
Defendant.

Case No. 3:21-mj-4149

Magistrate Judge Alistair E. Newbern

ORDER

Riccardo Paolo Spagni appeared before this Magistrate Judge on May 25, 2022, for a scheduled hearing on a complaint for his arrest and extradition on the request of the Government of South Africa, as contemplated by 18 U.S.C. § 3184. The complaint states that, on April 19, 2021, the Magistrate Court of the District of Cape Town, South Africa, issued a warrant for Spagni's arrest charging Spagni with fraud. (Doc. No. 1.) The complaint includes facts supporting the issuance of the warrant that allege, in sum, that Spagni defrauded his former employer Cape Cookies of 1,453,561.47 South African Rand during the course of his employment. (*Id.*) The complaint further represents that a trial on these charges commenced in South Africa at which Spagni ultimately failed to appear, resulting in the issuance of a warrant for his arrest on April 19, 2021. (*Id.*)

At the hearing, and in open court, Spagni confirmed that there is an extradition treaty in place between the United States and South Africa, that he has been fully apprised of his rights under that treaty, that the treaty covers the offenses for which his extradition is requested, that he is the person whose extradition is sought by the Government of South Africa, and that probable cause exists to believe that he has committed the offenses for which his extradition is requested.

Spagni also confirmed these representations in a filed affidavit (Doc. No. 54). The Court is assured by Spagni's representations on the record that he makes these admissions and has waived his right to an extradition hearing knowingly and voluntarily.

Based on these representations, the Court CERTIFIES under 18 U.S.C. § 3184 that there is sufficient evidence to sustain the charges against Spagni.

It is ORDERED that the conditions of Spagni's release remain in place as ordered (Doc. No. 24). The United States shall notify Spagni of the date on which duly authorized representatives of the Government of South Africa will depart South Africa to effectuate his arrest. On the eve of the date on which the South African representatives begin their travel, Spagni shall surrender as directed by the United States to the United States Marshal. The Marshal shall deliver Spagni and any evidence seized incidental to his arrest and sought by the Government of South Africa to the custody of the authorized representatives of the Government of South Africa to be transported to South Africa. The transfer of Spagni and any seized evidence shall be at a time and place mutually agreed upon by the United States Marshal and the authorized representatives of the Government of South Africa.

It is so ORDERED.



ALISTAIR E. NEWBERN
United States Magistrate Judge